

CHAPTER X

GENERAL

1. In view of the dissolution of the League of Nations and of the statement of the Secretary of State for Foreign Affairs in the House of Commons on the 13th November, 1945, we assume that the British Government will in the near future prepare a draft Trusteeship Agreement for eventual submission to the United Nations, and that this Agreement will include the terms under which Palestine will be administered. We do not propose to refer to the existing Mandate in detail ; it is set out in Appendix VI.

2. Our views on future immigration policy are contained in Recommendation No. 6 and in the Comments thereunder, and we have nothing to add to them.

3. With regard to the future government of Palestine, we have reviewed the question of a solution by partition.

The Peel Commission stated (Chapter XX, paragraph 19) : " Manifestly the problem cannot be solved by giving either the Arabs or the Jews all they want. The answer to the question ' which of them in the end will govern Palestine ? ' must surely be ' Neither '." That is the view which we also have formed. They recommended the termination of the Mandate, the partition of the country between the Arabs and the Jews (excepting the Holy Places) and the setting up of two independent states in treaty relations with Great Britain. These recommendations were rejected by the Arabs and they did not meet with the complete approval of the Jews. They were adopted in the first instance by the Government of Great Britain, but subsequently a technical commission was sent to Palestine to ascertain facts and to consider in detail the practical possibilities of a scheme of partition. As a result of the Partition Commission's Report, His Majesty's Government announced their conclusion that the examination by the Commission had shown that the political, administrative and financial difficulties involved in the proposal to create independent Arab and Jewish States inside Palestine were so great that the solution of the problem was impracticable. The proposal accordingly fell to the ground, and His Majesty's Government continued their responsibility for the government of the whole of Palestine.

We have considered the matter anew and we have heard the views of various witnesses of great experience. Partition has an appeal at first sight as giving a prospect of early independence and self-government to Jews and Arabs, but in our view no partition would have any chance unless it was basically acceptable to Jews and Arabs, and there is no sign of that today. We are accordingly unable to recommend partition as the solution.

4. Palestine is a country unlike any other. It is not merely a place in which Arabs and Jews live. Millions of people throughout the world take a fervent interest in Palestine and in its Holy Places and are deeply grieved by the thought that it has been the seat of trouble for so long and by the fear that it may well become the cockpit of another war. Lord Milner in 1923, having declared himself a strong supporter of pro-Arab policy, said :—

" Palestine can never be regarded as a country on the same footing as the other Arab countries. You cannot ignore all history and tradition in the matter. You cannot ignore the fact that this is the cradle of two of the great religions of the world. It is a sacred land to the Arabs, but it is also a sacred land to the Jew and the Christian ; and the future of Palestine cannot possibly be left to be determined by the temporary impressions and feelings of the Arab majority in the country of the present day."

The Peel Commission having cited those words wrote (Chapter II, paragraph 51): "The case stated by Lord Milner against an Arab control of Palestine applies equally to a Jewish control". That expresses our view absolutely.

Efforts have been made from time to time to encourage both Arabs and Jews to take part in the government of the country but these efforts have failed through mutual antagonism; perhaps they might have been pursued further. It is not the case of a backward people going through a period of tutelage: the issue lies between Jews and Arabs.

We believe this can only be met by acceptance of the principle that there shall be no domination of the one by the other, that Palestine shall be neither an Arab nor a Jewish state. The setting up of self-governing institutions is dependent on the will to work together on the part of Jews and Arabs. There has been little sign of that in recent years and yet we hope a change may take place if and when the fear of dominance is removed. We do not think that any good purpose would be served by our going into further detail; once the will to work together appears, representatives of both sides will be of help in framing a constitution; until that happens no step can be taken.

Meantime Palestine must remain under some form of Mandate or Trusteeship. We have suggested elsewhere in our Report that much can be done to encourage general advancement by the improvement of educational facilities and measures directed to narrowing the social and economic disparities. We feel, too, that it should be possible to draw the communities closer together, and foster a popular interest in self-government at the local level. Especially in the country districts, a spirit of good neighbourliness exists among the common people, Arabs and Jews, despite the general state of political tension in the country. Practical co-operation is evident in day-to-day affairs. We suggest that local administrative areas might be formed, some purely Arab or Jewish in composition, but some of mixed population where a corporate sense of civic responsibility can be encouraged and a new beginning made in the development of self-government.

5. Land questions have been the cause of much friction and dispute between Jews and Arabs. We are opposed to legislation and practices which discriminate against either, and for the reasons already given we recommend the rescission and replacement of the Land Transfers Regulations of 1940 and the prohibition of restrictions limiting employment on certain lands to members of one race, community or creed.

We are aware of the criticisms of the existing Land Ordinances and we do not wish it to be thought that we consider that they afford adequate protection to the Arab small-owners and tenants. In our opinion it should be possible to devise Ordinances furnishing proper protection to such Arabs no matter in what part of Palestine they may reside.

6. We have already stated that the 100,000 certificates for Palestine, the immediate authorisation of which we recommend, will provide for only a comparatively small proportion of the total number of Jewish refugees in Europe. The general problem of refugees must, we feel, be dealt with by the United Nations. In our considered opinion it is a matter for regret that this distressing problem has not been dealt with before this time. True the Great Powers have had many problems facing them and they have dealt with many displaced persons, but the fact remains that Jews and others have remained in camps or centres for very many months.

We observe that at a recent meeting of the General Assembly of the United Nations the problem of displaced persons and refugees of all categories was recognised to be one of immediate urgency, and it was referred to the Economic

and Social Council which has since established a special Committee for its consideration. Without presuming to advise that Committee, and with no desire to go beyond our Terms of Reference, we cannot but observe that international bodies already established for dealing with refugee problems have been unable, through insufficiency of financial resources or other reasons, to fulfil the hopes placed in them at the time of their formation. The world looks forward, we believe, to the birth of a truly effective agency of international collaboration in the humanitarian task of migration and resettlement.

We make grateful acknowledgment of our deep indebtedness to the civil and military officers of our two Governments. They have given us willing and able assistance throughout our long journeyings and made it possible for us to complete the Report within the period allotted.

Our staff, listed in Appendix VII, has worked admirably and efficiently under pressure and often in difficult circumstances.

Finally we desire to tender our sincere thanks to our efficient Secretaries, H. G. Vincent, L. L. Rood, H. Beeley, E. M. Wilson.

Signed at Lausanne, Switzerland, on 20th April, 1946.

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American Chairman.

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British Chairman.

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